



ZONING COMMITTEE
REGULAR COMMITTEE MEETING
~Minutes~

Atlanta City Hall
55 Trinity Ave.
Atlanta, GA 30303
<http://www.atlantaga.gov/>

CITY OF ATLANTA

Chairperson
The Honorable Yolanda Adrean

Theodis Pace
(404) 330-6314
tpace@atlantaga.gov

Wednesday, December 2, 2015

9:30 AM

Council Chamber

A. CALL TO ORDER

The regularly scheduled meeting of the **Zoning Committee** was held on **Wednesday, December 2, 2015, at 9:33 AM.** in **Council Chamber.** The following members were present:

B. INTRODUCTION OF MEMBERS

Attendee Name	Title	Status	Arrived
Yolanda Adrean	Chair	Present	9:30 AM
Carla Smith	Vice Chair	Present	9:30 AM
Keisha Lance Bottoms	Councilmember, District 11	Present	9:41 AM
Kwanza Hall	Councilmember, District 2	Absent	
Mary Norwood	Councilmember, Post 2 At-Large	Present	9:33 AM
Howard Shook	Councilmember, District 7	Present	9:30 AM
Ivory Lee Young Jr.	Councilmember, District 3	Absent	

Others in Attendance:

Director Charletta Jacks, Interim Zoning Administrator Brandy Crawford, **Department of Planning**; Attorney Jeffery Haymore, **Law Department**; members of the public and Council staff.

C. ADOPTION OF AGENDA

ADOPTED AS AMENDED TO ACCEPT SIX PIECES OF LEGISLATION

D. APPROVAL OF MINUTES

APPROVED

E. ORDINANCES FOR FIRST READING

15-O-1567 (1) - TR-15-18 AN ORDINANCE BY ZONING COMMITTEE TO AMEND ORDINANCE U-04-23 AS ADOPTED BY THE CITY COUNCIL ON MARCH 21, 2005 AND APPROVED BY THE MAYOR MARCH 25, 2005 FOR THE PURPOSES OF APPROVING A TRANSFER OF OWNERSHIP FOR A SPECIAL USE PERMIT FOR A PERSONAL CARE HOME (ASSISTED LIVING WITH NURSING HOME COMPONENT) FOR PROPERTY LOCATED AT 228 PEACHTREE HILLS AVENUE, 2289 VIRGINIA PLACE, N.E. AND 2254 VIRGINIA PLACE, N.E. AND FOR OTHER PURPOSES. NPU B

COUNCIL DISTRICT 7

Application File Date	11-2-2015
-----------------------	-----------

Zoning Number	TR-15-18
NPU / CD	B/7
Staff Recommendation	N/A
NPU Recommendation	N/A
ZRB Recommendation	N/A

TO BE REFERRED TO ZONING COMMITTEE

F. COMMUNICATION(S)

15-C-5142 (2) - A COMMUNICATION FROM COUNCILMEMBERS FELICIA A. MOORE, DISTRICT 9, CLARENCE "C.T." MARTIN, DISTRICT 10, KEISHA LANCE BOTTOMS, DISTRICT 11, JOYCE SHEPERD, DISTRICT 12 AND ANDRE DICKENS, POST 3 AT-LARGE TO PRESIDENT CEASAR C. MITCHELL AND ALL MEMBERS OF COUNCIL, SUBMITTING THE REAPPOINTMENT OF MR. EUGENE MILLER TO SERVE AS A MEMBER OF THE BOARD OF ZONING ADJUSTMENT. THIS APPOINTMENT IS FOR A TERM OF TWO (2) YEARS, SCHEDULED TO BEGIN ON THE DATE OF COUNCIL CONFIRMATION.

REFERRED TO COMMITTEE ON COUNCIL

RESULT: FAVORABLE [UNANIMOUS] **Next:** 12/7/2015 11:15 AM
AYES: Adrean, Smith, Bottoms, Norwood, Shook
ABSENT: Hall, Young Jr.

G. ORDINANCES FOR SECOND READING

15-O-1463 (3) - Z-15-47- AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM R-4A (SINGLE FAMILY RESIDENTIAL) DISTRICT TO C-1-C (COMMUNITY BUSINESS CONDITIONAL) DISTRICT FOR PROPERTY LOCATED AT 1609 AND 1611 JONESBORO ROAD, S.E., FRONTING APPROXIMATELY 108.5 FEET ON THE WEST SIDE OF JONESBORO ROAD AND BEGINNING APPROXIMATELY 150.8 FEET FROM THE SOUTHWEST INTERSECTION OF JONESBORO ROAD AND TURMAN AVENUE. DEPTH: VARIES AREA: APPROXIMATELY .248 ACRES. LAND LOT 57, 14TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: ANNEMARIE THOMAS-OGLE APPLICANT: ANNEMARIE THOMAS-OGLE
NPU Y COUNCIL DISTRICT 1

Application File Date	8-27-15
Zoning Number	Z-15-47
NPU / CD	Y/1

Staff Recommendation	Approval, conditional
NPU Recommendation	Approval
ZRB Recommendation	Approval, conditional

RESULT: FAVORABLE/AMENDED [UNANIMOUS]

AYES: Adrean, Smith, Bottoms, Norwood, Shook

ABSENT: Hall, Young Jr.

- 15-O-1460 (4) - Z-15-43 AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM C-1-C (COMMUNITY BUSINESS CONDITIONAL) DISTRICT TO C-1-C (COMMUNITY BUSINESS CONDITIONAL) DISTRICT FOR A CHANGE IN CONDITIONS FOR PROPERTY LOCATED AT 10 MORELAND AVENUE, S.E., FRONTING APPROXIMATELY 163.10 FEET ON THE EAST SIDE OF MORELAND AVENUE AND BEGINNING AT THE SOUTHEAST INTERSECTION OF MORELAND AVENUE AND HOSEA WILLIAMS DRIVE. DEPTH: VARIES AREA: APPROXIMATELY .53 ACRES. LAND LOT 208, 15TH DISTRICT DEKALB COUNTY, GEORGIA. OWNER: WASH BOX, LLC. APPLICANT: WASH BOX, LLC. NPU N

COUNCIL DISTRICT 5

Application File Date	8-5-15
Zoning Number	Z-15-43
NPU / CD	O/5
Staff Recommendation	Approval, conditional
NPU Recommendation	Approval
ZRB Recommendation	Approval, conditional

RESULT: FAVORABLE/AMENDED [UNANIMOUS]

AYES: Adrean, Smith, Bottoms, Norwood, Shook

ABSENT: Hall, Young Jr.

- 15-O-1461 (5) - Z-15-44- AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM C-1-C (COMMUNITY BUSINESS CONDITIONAL) DISTRICT TO RG-4-C (RESIDENTIAL GENERAL CONDITIONAL) DISTRICT FOR PROPERTY LOCATED AT 626 PARKWAY DRIVE, N.E., FRONTING APPROXIMATELY 99.97 FEET ON THE WEST SIDE OF PARKWAY DRIVE AND BEGINNING APPROXIMATELY 70.06 FEET FROM THE NORTHWEST INTERSECTION OF PARKWAY DRIVE AND NORTH AVENUE. DEPTH: VARIES AREA: APPROXIMATELY .702 ACRES. LAND LOT 48, 14TH DISTRICT FULTON COUNTY, GEORGIA.

OWNER: MCPHEE HOLDINGS, LLC. APPLICANT: DAVID J. ODOM NPU M
COUNCIL DISTRICT 2

Application File Date	8-6-15
Zoning Number	Z-15-44
NPU / CD	M/2
Staff Recommendation	Approval, conditional
NPU Recommendation	Approval, conditional
ZRB Recommendation	Approval, conditional

RESULT: FAVORABLE/AMENDED [UNANIMOUS]

AYES: Adrean, Smith, Bottoms, Norwood, Shook

ABSENT: Hall, Young Jr.

15-O-1559 (6) - AN ORDINANCE BY COUNCILMEMBER HOWARD SHOOK TO WAIVE THE PROVISIONS OF CITY CODE SECTION 15-07.005 (G), REGARDING A ONEYEAR WAITING PERIOD ON VARIANCE APPLICATIONS, AS THEY APPLY TO THE SUBDIVISION APPLICATION FOR 2989 LOOKOUT PLACE, N.E.

RESULT: FAVORABLE/AMENDED [UNANIMOUS]

AYES: Adrean, Smith, Bottoms, Norwood, Shook

ABSENT: Hall, Young Jr.

H. PAPERS HELD IN COMMITTEE

14-O-1348 (7) - U-14-13- AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR A PERSONAL CARE HOME PURSUANT TO SECTION 16-06.005 (1)(G) FOR PROPERTY LOCATED AT 929 CASCADE AVENUE, S.W., FRONTING APPROXIMATELY 95 FEET ON THE NORTH SIDE OF CASCADE AVENUE APPROXIMATELY 60 FEET EAST OF THE INTERSECTION OF ALTADENA PLACE AND CASCADE AVENUE. DEPTH VARIES. AREA: APPROXIMATELY 0.45 ACRE. LAND LOT 151, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: FLORENCE M. DEMOSTHENES APPLICANT: MAURICE SESSOMS, NPU S, COUNCIL DISTRICT 10

Application File Date	5-22-14
Zoning Number	U-14-13
NPU / CD	S/10

Staff Recommendation	Denial
NPU Recommendation	Approval
ZRB Recommendation	Denial

(Held 8/27/14)

RESULT: HELD IN COMMITTEE Next: 12/7/2015 1:00 PM

- 14-O-1366 (8) - AN ORDINANCE BY COUNCILMEMBER HOWARD SHOOK AS SUBSTITUTED BY ZONING COMMITTEE TO AMEND SEC. 15-06.001 OF THE SUBDIVISION ORDINANCE OF THE CITY OF ATLANTA SO AS TO AMEND THE DEFINITION OF THE TERM "HISTORIC NEIGHBORHOOD" AS A NEIGHBORHOOD ACTUALLY LISTED ON THE NATIONAL REGISTER OF HISTORIC PLACES; TO AMEND SEC. 15-08.005(D)(6) OF THE SUBDIVISION ORDINANCE SO AS TO REGULATE THE SUBDIVISION OF PROPOSED LOTS IN HISTORIC NEIGHBORHOODS; TO ADD SEC. 15-08.005(D)(7) TO REGULATE THE SUBDIVISION OF PROPOSED LOTS WHERE NEW STREET(S) ARE PROPOSED IN NEIGHBORHOODS IDENTIFIED BY ORDINANCE AS POTENTIALLY ELIGIBLE FOR LISTING ON THE NATIONAL REGISTER OF HISTORIC PLACES; AND FOR OTHER PURPOSES.

(Referred back by Council 9/15/14) (Substituted and held 9/24/14)

RESULT: HELD IN COMMITTEE Next: 12/7/2015 1:00 PM

- 15-O-1180 (9) - Z-15-16- AN AMENDED ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-4 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO MR-3-C (MULTI-FAMILY RESIDENTIAL- SECTOR 3 CONDITIONAL) DISTRICT, FOR PROPERTY LOCATED AT 3650 BAKERS FERRY ROAD, S.W., FRONTING APPROXIMATELY 682.8 FEET ON THE WEST SIDE OF BAKERS FERRY ROAD BEGINNING AT THE SOUTHWEST INTERSECTION OF BAKERS FERRY ROAD AND FAIRBURN ROAD. DEPTH: VARIES AREA: APPROXIMATELY 4.277 ACRES. LAND LOT 14, 14FF DISTRICT FULTON COUNTY, GEORGIA. OWNER: EXECUTIVE REAL ESTATE, LLC. APPLICANT: DEWAYNE MARTIN NPU H COUNCIL DISTRICT 10

Application File Date	3-31-2015
Zoning Number	Z-15-16
NPU / CD	H/10
Staff Recommendation	Approval, conditional
NPU Recommendation	Denial

ZRB Recommendation	Approval, conditional

(Held 11/10/15) (Held for the companion paper in CD/HR Committee)

RESULT: FAVORABLE/AMENDED [4 TO 0] Next: 12/7/2015 1:00 PM

AYES: Adrean, Smith, Bottoms, Shook

ABSTAIN: Norwood

ABSENT: Hall, Young Jr.

- 15-O-1331 (10) - Z-15-30- AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE C-1-C (COMMUNITY BUSINESS-CONDITIONAL) DISTRICT TO THE C-1 (COMMUNITY BUSINESS) DISTRICT FOR PROPERTY LOCATED AT 373 WEST LAKE AVENUE, N.W., FRONTING APPROXIMATELY 100 FEET ON THE EAST SIDE OF WEST LAKE AVENUE AND BEGINNING APPROXIMATELY 105.75 FEET FROM THE SOUTHEAST INTERSECTION OF WEST LAKE AVENUE AND CARLISLE STREET. DEPTH: VARIES AREA: APPROXIMATELY 0.459 ACRES. LAND LOT 146, 14TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: VETERANS EMPOWERMENT ORGANIZATION OF GEORGIA APPLICANT: JONATHAN D. MAYWEATHER NPU J COUNCIL DISTRICT 3

Application File Date	6-29-15
Zoning Number	Z-15-30
NPU / CD	J/3
Staff Recommendation	File
NPU Recommendation	Approval
ZRB Recommendation	File

(Held 11/10/15) (Held at the request of the District Councilmember)

RESULT: HELD IN COMMITTEE Next: 12/7/2015 1:00 PM

I. LEGISLATION WALKED INTO COMMITTEE

- 15-O-1571 (1) - Z-15-64 AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE RG-3-C AND O-I (RESIDENTIAL GENERAL- SECTOR 3 CONDITIONAL AND OFFICE INSTITUTIONAL) DISTRICTS TO PD-H

(PLANNED DEVELOPMENT- HOUSING) DISTRICT FOR PROPERTY LOCATED AT 1071 FAYETTEVILLE ROAD (AKA 1913-1917 FLAT SHOALS ROAD), S.E., FRONTING APPROXIMATELY 254 FEET ON THE SOUTHWEST SIDE OF FLAT SHOALS ROAD AND BEGINNING APPROXIMATELY 770 FEET FROM THE SOUTHEAST INTERSECTION OF HILLBURN DRIVE. DEPTH: VARIES AREA: APPROXIMATELY 4.55 ACRES. LAND LOT 147, 15TH DISTRICT DEKALB COUNTY, GEORGIA. OWNER: MICHAEL ZONGOR APPLICANT: ADAM LAVERACK NPU W COUNCIL DISTRICT 5

Application File Date	10-30-2015
Zoning Number	Z-15-64
NPU / CD	W/5
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

- 15-O-1572 (2) - Z-15-65 AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-5 (TWO FAMILY RESIDENTIAL) DISTRICT TO RG-4 (RESIDENTIAL GENERAL-SECTOR 4) DISTRICT, FOR PROPERTY LOCATED AT 79 JACKSON STREET, S.E., FRONTING APPROXIMATELY 50 FEET ON THE NORTHWEST SIDE OF JACKSON STREET AND BEGINNING APPROXIMATELY 500 FEET FROM THE WEST INTERSECTION OF DEKALB AVENUE. DEPTH: VARIES AREA: APPROXIMATELY 0.171 ACRES. LAND LOT 45, 14TH DISTRICT DEKALB COUNTY, GEORGIA. OWNER: DADDY C VENTURES, INC. APPLICANT: STEPHANIE COLVARD NPU W COUNCIL DISTRICT 5

Application File Date	11-2-2015
Zoning Number	Z-15-65
NPU / CD	M/4
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

- 15-O-1573 (3) - Z-15-66 AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-5 AND C-2 (TWO FAMILY RESIDENTIAL AND COMMERCIAL SERVICE) DISTRICTS TO THE MRC-2 (MIXED RESIDENTIAL COMMERCIAL) DISTRICT, FOR PROPERTY LOCATED AT 1008, 1010, 1014, 1016, 1020, 1026, 1036 HAMPTON STREET, N.W., FRONTING APPROXIMATELY 319 FEET ON THE WEST SIDE OF HAMPTON STREET AND BEGINNING APPROXIMATELY 206 FEET FROM THE NORTHWEST INTERSECTION OF TENTH STREET. DEPTH: VARIES AREA: APPROXIMATELY 0.9 ACRES. LAND LOT 149, 17TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: THURMON AND CAROLYN DUVALL AND ANNE DAY APPLICANT: PHILIP DREY NPU E COUNCIL DISTRICT 3

Application File Date	11-2-2015
Zoning Number	Z-15-66
NPU / CD	E/3
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

- 15-O-1574 (4) - Z-15-68 AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE R-5 (TWO FAMILY RESIDENTIAL) DISTRICT TO THE RG-3 (RESIDENTIAL GENERAL-SECTOR 3) DISTRICT, FOR PROPERTY LOCATED AT 151 FLAT SHOALS AVENUE, S.E., FRONTING APPROXIMATELY 122 FEET ON THE SOUTH SIDE OF FLAT SHOALS AVENUE AND BEGINNING AT THE SOUTHWEST INTERSECTION OF STOVALL STREET DEPTH: VARIES AREA: APPROXIMATELY 0.64 ACRES. LAND LOT 13, 14TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: ANDREW P. STEWART CENTER, INC. APPLICANT: LAUREL DAVID NPU N COUNCIL DISTRICT 5

Application File Date	11-3-2015
Zoning Number	Z-15-68
NPU / CD	N/5
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

- 15-O-1575 (5) - Z-15-69 AN ORDINANCE BY ZONING COMMITTEE TO REZONE FROM THE MRC-3-C (MIXED RESIDENTIAL COMMERCIAL CONDITIONAL) DISTRICT TO THE MRC-3-C (MIXED RESIDENTIAL COMMERCIAL CONDITIONAL) DISTRICT, FOR PROPERTY LOCATED AT 1040 GRANT STREET, S.E., FRONTING APPROXIMATELY 200.32 FEET ON THE EAST SIDE OF GRANT STREET AND BEGINNING AT THE NORTHEAST INTERSECTION OF GRANT CIRCLE DEPTH: VARIES AREA: APPROXIMATELY 1.56 ACRES. LAND LOT 42, 14TH DISTRICT FULTON COUNTY, GEORGIA. OWNER: GRANT STREET PARTNERS, LLC. APPLICANT: PHILIPPE J. PELLERIN NPU WCOUNCIL DISTRICT 1

Application File Date	11-3-2015
Zoning Number	Z-15-69
NPU / CD	W/1
Staff Recommendation	
NPU Recommendation	
ZRB Recommendation	

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

- 15-O-1576 (6) - U-15-18 AN ORDINANCE BY ZONING COMMITTEE GRANTING A SPECIAL USE PERMIT FOR OUTDOOR AMUSEMENT ENTERPRISES, EXHIBITS, ENTERTAINMENTS, MEETINGS, DISPLAYS OR SALES AREAS, OR OUTDOOR AREAS FOR RELIGIOUS CEREMONIES PURSUANT TO CODE SECTION 16-18A.006(4) FOR PROPERTY LOCATED AT 0 WALTON STREET, N.W. (PARCEL NUMBER 14 00780007058), FRONTING APPROXIMATELY 189.35 FEET ON THE NORTH SIDE OF CENTENNIAL OLYMPIC PARK DRIVE, BEGINNING AT THE NORTHEAST INTERSECTION OF WALTON STREET AND CENTENNIAL OLYMPIC PARK DRIVE. DEPTH: VARIES; AREA: APPROXIMATELY .272 ACRES; LAND LOTS 78, 14TH DISTRICT, FULTON COUNTY, GEORGIA. OWNER: TABERNACLE GROUP, LLC. APPLICANT: SKY TOWER PARTNERS, LLC. NPU M COUNCIL DISTRICT 2

Application File Date	10-26-2015
Zoning Number	U-15-18
NPU / CD	M/2
Staff Recommendation	

NPU Recommendation	
ZRB Recommendation	

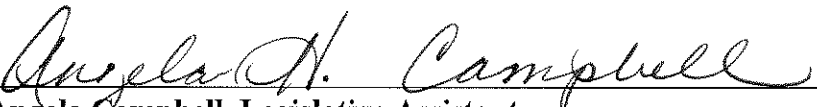
TO BE REFERRED TO ZRB AND ZONING COMMITTEE


J. REMARKS FROM THE PUBLIC

K. ADJOURNMENT

There being no further business to come before the Zoning Committee the meeting was adjourned at 10:01 AM

Respectfully submitted:


Angela Campbell, Legislative Assistant


Theo Pace, Research & Policy Analyst


The Honorable Yolanda Adrean, Chair